

REMARKS

Claims 1, 3-13 and 15 are pending.

Response to Rejections Under § 103

Claims 1 and 3-9 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Europe 561 (EP '561) in view of U.S. Patent Application No. 2002/0049294 to Shiina and optionally Europe 613 (EP '613). Applicants respectfully traverse.

EP '561 fails to disclose the subject matter of present Claim 1. EP '561 discloses improved productivity and processability as the object and effect of the invention; however, EP '561 is silent about a hydrazide compound.

Shiina teaches improved physical properties of the low heat generating property, heat resistance, and abrasion resistance as the object and effect of the invention.

EP '613 merely discloses rubber compositions containing silica.

However, the present invention achieves a perfect balance among improved processability of non-vulcanized rubber compositions, a heat build-up property and an abrasion resistance which would not have been obvious from the art. Thus, EP '561, EP '613 and Shiina fail to render obvious the present claims. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 10-13 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over EP '561 in view of U.S. Patent No. 3,927,144 to Hayashi et al and optionally further in view of Shiina and/or EP '613.

Claim 15 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over EP '561 in view of Hayashi and optionally further in view of Shiina and/or EP '613 as applied above and further in view of U.S. Patent No. 6,103,808 to Hashimoto.

Applicants respectfully traverse.

Present Claim 10 relates to a tire using a rubber composition that demonstrates improved driving stability and improved wet gripping property without exerting an adverse effect on the productivity (i.e., processability of non-vulcanized rubber compositions). *See*, paragraphs [0110] and [0112] in the publication of the present application.

In contrast, Hayashi discloses rubber compositions containing cyclopentadiene resin which improves the cut resistance of the compositions. Hayashi is silent about silica and (C) a partial ester compound of maleic anhydride and a (poly)oxypropylene derivative as recited in present Claim 10.

In addition, the remarkable effects of present Claim 10 are different from those of EP '561 and Hayashi.

Thus, the cited art fails to render obvious the present claims. Accordingly, withdrawal of the rejections is respectfully requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. § 1.114(c)
Application No.: 10/526,466

Attorney Docket No.: Q86580

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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